

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

HUGH STEVEN GERONIMO HOPKINS,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-05-183-T
)	
SHERIFF OF COMANCHE COUNTY, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

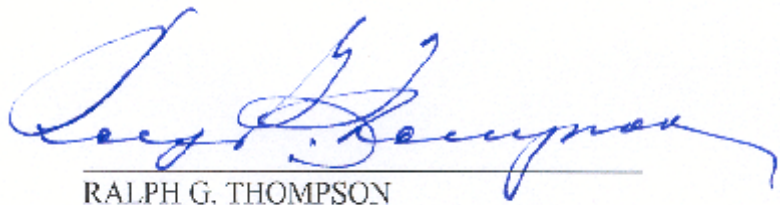
Petitioner, appearing *pro se*, filed this action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2241, on February 15, 2005. The matter was referred to United States Magistrate Gary M. Purcell for initial proceedings. (Doc. No. 4.) On March 14, 2005, the Respondents filed a motion to dismiss. On April 14, 2005, Judge Purcell issued a Report and Recommendation which recommended that, to the extent Petitioner challenged the validity of his pretrial detention, his Petition be dismissed with prejudice and, to the extent Petitioner challenged the jurisdiction of the Court of Indian Offense for the Comanche Tribe, his Petition be dismissed without prejudice. The Report and Recommendation also notified Petitioner that any objections to the Report and Recommendation should be filed on or before May 4, 2005.

The court of appeals' "firm waiver rule" holds "that a party's objection to the magistrate judge's report and recommendation must be both timely and specific to preserve an issue for *de novo* review by the district court or for appellate review." United States v. One Parcel of Real Property, 73 F.3d 1057, 1060 (10th Cir. 1996). In this case, the court file reveals that Petitioner failed to file an objection to the

Report and Recommendation.¹ Thus, by failing to specifically object to any issue addressed in Judge Purcell's Report and Recommendation, Petitioner has waived further review of the issues addressed in the Report and Recommendation.

Accordingly, upon review of the entire court file, the Court ADOPTS the April 14, 2005, Report and Recommendation in its entirety and Petitioner's Petition is dismissed.

IT IS SO ORDERED this 12th day of May, 2005.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE

¹ It appears that Petitioner failed in his duty to keep the Court Clerk apprized of his current address as copies of pleadings mailed to Petitioner at the address he provided have been returned.